

**BOARD OF ZONING APPEALS**  
**CITY OF MILWAUKEE**

**REGULAR MEETING – March 3, 2005**  
**City Hall, Common Council Committee Room 301-B**

***MINUTES***

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PRESENT:

**Chairman:** Craig H. Zetley *(voting on items 1-70 )*

**Members:** Henry P. Szymanski *(voting on items 1-70 )*  
Scott R. Winkler *(voting on items 1-36, 38-70 )*  
Catherine M. Doyle *(voting on items 1-70 )*  
Donald Jackson *(voting on items 1-70 )*

**Alt. Board Members:** Georgia M. Cameron *(voting on items 37 )*

START TIME: 4:10 p.m.

End Time: 8:11 p.m.

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| <u>Item No.</u> | <u>Case No./<br/>Case Type</u> | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u> |
|-----------------|--------------------------------|--|------------------------------------|
| 1               | 26104<br>Special Use           | Arnetta Standberry, Prospective Buyer<br><br>Request to occupy the premises as a day care center for 27 children infant to 12yrs of age, Monday-Friday 6:00 AM-6:00 PM.                                  | 5194 N. Teutonia Av.<br>1st Dist.  |
|                 | Action:                        | Dismissed  |                                    |
|                 | Motion:                        | Scott Winkler moved to dismiss the appeal. Seconded by Catherine Doyle.  |                                    |
|                 | Vote:                          | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.   |                                    |
| 2               | 25882<br>Special Use           | Trinette Blankenship, Lessee<br><br>Request to occupy the premises as a community living arrangement for 8 girls 13yr-17yrs of age (behavioral problems, dysfunctional families,& juvenile delinquency). | 5873 N. 34th St.<br>1st Dist.      |
|                 | Action:                        | Dismissed  |                                    |
|                 | Motion:                        | Scott Winkler moved to dismiss the appeal. Seconded by Catherine Doyle.  |                                    |
|                 | Vote:                          | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.   |                                    |

| <b><u>Item No.</u></b> | <b><u>Case No./ Case Type</u></b> | <b><u>Description</u></b>  | <b><u>Premises Address/Ald. Dist.</u></b>                                   |
|------------------------|-----------------------------------|--|---|
| 3                      | 25873<br>Dimensional<br>Variance  | Milwaukee Art Museum, Lessee<br><br>Request to allow 2 free standing signs on the premises without the required display area and height.   | 700 N. Art Museum Dr.<br>A/K/A 750 N. Lincoln Memorial Dr.<br>4th Dist.     |
|                        | Action:                           | Dismissed  |   |
|                        | Motion:                           | Scott Winkler moved to dismiss the appeal.   | Seconded by Catherine Doyle.  |
|                        | Vote:                             | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.   |   |
| 4                      | 26215<br>Special Use              | Phyllis Sterling & Idelle Williams, Lessee<br><br>Request to continue occupying the premises as a day care center, amending the number of children from 18 to 36, infant to 12yrs of age, operating Monday - Friday 6:00a.m. - 11:30p.m. | 8593 W. Appleton Av.<br>A/K/A 8595 W. Appleton Av.<br>5th Dist.             |
|                        | Action:                           | Dismissed  |   |
|                        | Motion:                           | Scott Winkler moved to dismiss the appeal.   | Seconded by Catherine Doyle.  |
|                        | Vote:                             | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.   |   |
| 5                      | 25391<br>Special Use              | Ruby Isle, Inc., c/o John Kalupa, President; Lessee<br><br>Request to add motor vehicle sales to the existing motor vehicle repair and tire sales facility.  | 11137 W. Silver Spring Dr.<br>A/K/A 11135 W. Silver Spring Dr.<br>5th Dist. |
|                        | Action:                           | Dismissed  |   |
|                        | Motion:                           | Scott Winkler moved to dismiss the appeal.   | Seconded by Catherine Doyle.  |
|                        | Vote:                             | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.   |   |
| 6                      | 25515<br>Special Use              | Timothy J. Olson, Property Owner<br><br>Request to raze the existing structures on site and construct two 4-unit apartment buildings on the premises without the minimum rear setback.   | 2010 N. Buffum St.<br>A/K/A 2014 N. Buffum St.<br>6th Dist.                 |
|                        | Action:                           | Dismissed  |   |
|                        | Motion:                           | Scott Winkler moved to dismiss the appeal.   | Seconded by Catherine Doyle.  |
|                        | Vote:                             | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.   |   |

| <b><u>Item No.</u></b> | <b><u>Case No./ Case Type</u></b> | <b><u>Description</u></b>   | <b><u>Premises Address/Ald. Dist.</u></b> |
|------------------------|-----------------------------------|---|---|
| 7                      | 26202<br>Dimensional<br>Variance  | Oscar Bond, Pleasant Grove<br>Missionary; Prospective Buyer<br><br>Request to occupy the premises as a religious assembly hall (without the required parking).  | 2721 W. Townsend St.<br>7th Dist.         |
|                        | Action:                           | Dismissed   |   |
|                        | Motion:                           | Scott Winkler moved to dismiss the appeal. Seconded by Catherine Doyle.   |   |
|                        | Vote:                             | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  |   |
| 8                      | 26445<br>Extension of<br>Time     | Sharif Malik, Prospective Buyer<br><br>Request for an extension of time to comply with conditions of case No.25332.   | 812 S. Layton Bl.<br>8th Dist.            |
|                        | Action:                           | Granted   |   |
|                        | Motion:                           | Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.   |   |
|                        | Vote:                             | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  |   |
| 9                      | 26463<br>Special Use              | Rev. Narciso Ramos, Property Owner<br><br>Request to continue occupying the premises as a religious assembly.   | 1224 W. Greenfield Av.<br>12th Dist.      |
|                        | Action:                           | Granted 10 yrs.   |   |
|                        | Motion:                           | Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.   |   |
|                        | Vote:                             | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  |   |
|                        | Conditions of Approval:           | 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.<br><br>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.<br><br>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.<br><br>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. |   |

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|------------------------|---------------------------------------|--|---|
| 10                     | 26474<br>Special Use                  | Affordable Rental Assoc., Lessee<br><br>Request to occupy the premises as a general office.<br><br>Action: Granted 10 yrs.<br><br>Motion: Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.<br><br>Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.<br><br>Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.<br><br>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.<br><br>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.<br><br>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.   | 1901 S. 11th St.<br>12th Dist.            |
| 11                     | 26380<br>Special Use                  | Greg Schaal, Property Owner<br><br>Request to occupy a portion of the premises as a motor vehicle sales facility.<br><br>Action: Granted 5 yrs.<br><br>Motion: Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.<br><br>Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.<br><br>Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.<br><br>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.<br><br>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.<br><br>4. That landscape plans meeting the intent of city code section 295-405 are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.<br><br>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.<br><br>6. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code.<br><br>7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. | 929 W. Waterford Av.<br>13th Dist.        |

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|------------------------|---------------------------------------|--|---|
| 12                     | 26450<br>Dimensional<br>Variance      | Robert Rathmann, Property Owner<br><br>Request to allow a detached garage on the premises with the sidewalls over the maximum required height.   | 1435 W. Wanda Av.<br>13th Dist.           |
|                        | Action:                               | Granted  |   |
|                        | Motion:                               | Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.  |   |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.   |   |
|                        | Conditions of<br>Approval:            | <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>   |   |
| 13                     | 25416<br>Special Use                  | Bynjami Zegiri, Dita Investments, LLC;Property Owner<br><br>Request to add a drive thru facility (pick up of phoned in orders only, operating 6:00am - 10:00pm) to the existing permitted sit down restaurant.   | 5354 S. 27th St.<br>13th Dist.            |
|                        | Action:                               | Granted 10 yrs.  |   |
|                        | Motion:                               | Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.  |   |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.   |   |
|                        | Conditions of<br>Approval:            | <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening for the South 27th Street and West Clayton Crest frontages must meet the requirements of s.295-405 of the Milwaukee Zoning Code.</li> <li>5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol> |   |

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|------------------------|---------------------------------------|--|---|
| 14                     | 26462<br>Special Use                  | Gary Johnson, Lessee<br><br>Request to continue occupying the premises as a general retail establishment (pet store).  | 2857 S. Howell Av.<br>14th Dist.          |
|                        | Action:                               | Granted 10 yrs.  |   |
|                        | Motion:                               | Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.  |   |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.   |   |
|                        | Conditions of Approval:               | <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>  |   |
| 15                     | 26444<br>Special Use                  | Mary Sims, Property Owner<br><br>Request to continue occupying the premises as an adult family home for 2-4 individuals (disabled and elderly).  | 2802 N. 40th St.<br>15th Dist.            |
|                        | Action:                               | Granted 3 yrs.   |   |
|                        | Motion:                               | Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.  |   |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.   |   |
|                        | Conditions of Approval:               | <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol> |   |

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|-----------------|--------------------------------|--|------------------------------------|
| 16              | 26458<br>Special Use           | Charlotte's Web Crawlers Development Center, Charlotte Murdock;Property Owner<br><br>Request to continue occupying the premises as a 24hr day care center for 60 children infant to 12yrs of age, Monday-Sunday.<br><br>Action: Granted 5 yrs.<br><br>Motion: Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.<br><br>Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.<br><br>Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.<br><br>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.<br><br>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.<br><br>4. That all previous conditions of the Board regarding this property are complied with.<br><br>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.<br><br>6. That the applicant removes all banners from the exterior of the building.<br><br>7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. | 3800 W. Vliet Av.<br>15th Dist.    |

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|------------------------|---------------------------------------|--|---|
| 17                     | 26460<br>Dimensional<br>Variance      | Milwaukee Habitat for Humanity<br>Property Owner<br><br>Request to construct a single-family<br>residential dwelling without the minimum<br>required front facade width.   | 1933 N. 24th Pl.<br>15th Dist.            |
|                        | Action:                               | Granted  |   |
|                        | Motion:                               | Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.  |   |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.   |   |
|                        | Conditions of<br>Approval:            | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the petitioner build in accordance with plans submitted.</p> <p>4. That a seven (7) foot wide strip along the northern property line is reserved for future transfer to the north-abutting property owner or that the petitioner submit documentation to the Board of Zoning Appeals for approval by the Zoning Administration Group demonstrating that a transfer of property is not possible.</p> <p>5. That this Variance is granted to run with the land.</p> |   |
| 18                     | 26440<br>Special Use                  | Bishop Garmon Harrison,Property Owner<br><br>Request to continue occupying the<br>premises as a religious assembly hall.   | 2310-12 W. Capitol Dr.<br>1st Dist.       |
|                        | Action:                               | Granted 10 yrs.  |   |
|                        | Motion:                               | Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.  |   |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.   |   |
|                        | Conditions of<br>Approval:            | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>   |   |



| <u>Item No.</u> | <u>Case No./<br/>Case Type</u> | <u>Description</u>  | <u>Premises Address/Ald. Dist.</u> |
|-----------------|--------------------------------|---|------------------------------------|
| 19              | 26451<br>Special Use           | Christ Tabernacle Church, James Bufford Sr.; Property Owner<br><br>Request to continue occupying the premises as a day care center for 23 children, infant to 12yrs. of age, from 6am-6pm Monday-Friday.  | 5865 N. 75th St.<br>2nd Dist.      |
|                 | Action:                        | Granted 10 yrs.   |                                    |
|                 | Motion:                        | Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.   |                                    |
|                 | Vote:                          | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  |                                    |
|                 | Conditions of Approval:        | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That all previous conditions of the Board regarding this property are complied with.</p> <p>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p> |                                    |

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|-----------------|--------------------------------|---|------------------------------------|
| 20              | 26453<br>Special Use           | Bobbie Bishop, Property Owner<br><br>Request to continue occupying the premises as a 24 hr day care facility for 8 children ages 12wks-12yrs, Monday-Sunday.  | 6710 W. Courtland Av.<br>2nd Dist. |
|                 | Action:                        | Granted 5 yrs.  |                                    |
|                 | Motion:                        | Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.   |                                    |
|                 | Vote:                          | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  |                                    |
|                 | Conditions of Approval:        | <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the outdoor play area is not utilized after 8:00 P.M. or before 9:00 A.M.</li> <li>5. That signage is not permitted.</li> <li>6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol> |                                    |

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|-----------------|--------------------------------|---|-------------------------------------|
| 21              | 26409<br>Special Use           | <p>Wisconsin Evangelical Lutheran Synod<br/>James V. Buelow;Property Owner</p> <p>Request to continue occupying the premises as a rooming house (up to four people on site) in conjunction with religious assembly on the premises.</p> <p>Action:                   Granted 10 yrs.</p> <p>Motion:                 Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.</p> <p>Vote:                    4 Ayes, 0 Nays, 1 C. Zetley Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol> | 2213-15 E. Kenwood Bl.<br>3rd Dist. |
| 22              | 26439<br>Special Use           | <p>2040 Wisconsin LLC, A Delaware Limited Liability Company;Property Owner</p> <p>Request to occupy the premises as a rooming house (120 living units/ predominately private dormitories).</p> <p>Action:                   Adjourned</p> <p>Motion:                 This matter was adjourned by staff and will be rescheduled for the next available hearing.</p>   | 2040 W. Wisconsin Av.<br>4th Dist.  |

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|-----------------|----------------------------|---|--|
| 23              | 26446<br>Special Use       | Universal Foods Corporation n/k/a<br>Sensient Technologies<br>Corporation;Property Owner  | 500 N. Milwaukee St.<br>A/K/A 406 E. Clybourn St.<br>4th Dist. |
|                 |                            | Request to continue occupying the<br>premises as a parking lot.   |  |
|                 | Action:                    | Granted 2 yrs.  |  |
|                 | Motion:                    | Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.   |  |
|                 | Vote:                      | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  |  |
|                 | Conditions of<br>Approval: | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner provide and maintain landscaping and screening in accordance with the landscape plan submitted to the Department of City Development on April 27, 1992.</p> <p>5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</p> |  |

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|-----------------|--------------------------------|---|--|
| 24              | 26449<br>Special Use           | V & J Foods Inc., Lessee<br><br>Request to continue occupying the premises as a fast-food/carry-out restaurant with a drive through facility.   | 733 E. Capitol Dr.<br>A/K/A 709 E.Capitol Dr.<br>6th Dist. |
|                 | Action:                        | Granted 10 yrs.   |  |
|                 | Motion:                        | Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.   |  |
|                 | Vote:                          | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  |  |
|                 | Conditions of Approval:        | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner maintain landscaping and screening in a manner that meets the intent of city code</p> <p>5. That there be no increase in signage.</p> <p>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>7. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</p> <p>8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p> |  |

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|------------------------|-----------------------------------|--|---|
| 25                     | 26454<br>Special Use              | Kern Park Congregation of Jehovah's Witnesses, Property Owner<br><br>Request to continue occupying the premises as a religious assembly hall.<br><br>Action: Granted 15 yrs.<br><br>Motion: Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.<br><br>Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.<br><br>Conditions of Approval: <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of Fifteen (15) years, commencing with the date hereof.</li> </ol> | 3879 N. Port Washington Av.<br>6th Dist.    |
| 26                     | 26470<br>Other                    | Vanessa Claypool, Heart Love Place;Property Owner<br><br>Request to modify the Board approved plans to expand the existing multi-use building consisting of a community center, day care center, school and print shop.<br><br>Action: Granted<br><br>Motion: Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.<br><br>Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  | 3229 N. Martin Luther King Dr.<br>6th Dist. |

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|------------------------|---------------------------------------|---|---|
| 27                     | 26421<br>Special Use                  | Robert A. Knoop, Lessee<br><br>Request to continue occupying a portion of the premises as a social service facility ( mental health, AODA Counseling).  | 6815 W. Capitol Dr.<br>10th Dist.                           |
|                        | Action:                               | Granted 3 yrs.  |   |
|                        | Motion:                               | Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.   |   |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  |   |
|                        | Conditions of Approval:               | 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.<br><br>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.<br><br>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.<br><br>4. That all previous conditions of the Board regarding this property are complied with.<br><br>5. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. |   |
| 28                     | 26247<br>Special Use                  | Abdel Hakim Fares, Property Owner<br><br>Request to occupy the rear portion of the existing general retail establishment as a fast-food/carryout restaurant.  | 1701 W. Galena St.<br>A/K/A 1703 W. Galena St.<br>4th Dist. |
|                        | Action:                               | Denied  |   |
|                        | Motion:                               | Donald Jackson moved to deny the appeal. Seconded by Catherine Doyle.   |   |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  |   |

| <b><u>Item No.</u></b> | <b><u>Case No./<br/>Case Type</u></b> | <b><u>Description</u></b>  | <b><u>Premises Address/Ald. Dist.</u></b>               |
|------------------------|---------------------------------------|--|---|
| 29                     | 25635<br>Special Use                  | Abdul Haq, AK Petroleum Inc.;Prospective Buyer<br><br>Request to raze a portion of the existing structure and construct an expanded motor vehicle filling station and convenience store.   | 8712 W. Lisbon Av.<br>5th Dist.                         |
|                        | Action:                               | Denied   |   |
|                        | Motion:                               | Henry Szymanski moved to deny the appeal. Seconded by Catherine Doyle.   |   |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C Zetley Abstained.  |   |
| 30                     | 26041<br>Dimensional<br>Variance      | St.Joseph's Hospital of Franciscan of Mil., Inc., a/k/a St.Joseph Regional Medical Center;Property Owner<br><br>Request to both occupy the premises as a surface parking lot and to seek a variance from landscaping required by code. | 3026 N. 49th St.<br>A/K/A 3004 N. 49th St.<br>7th Dist. |
|                        | Action:                               | Adjourned  |   |
|                        | Motion:                               | Scott Winkler moved to re-open the case for additional testimony. Seconded by Donald Jackson.  |   |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.   |   |
| 31                     | 26213<br>Special Use                  | Julette Francis & Larry Wade, Property Owner<br><br>Request to occupy the premises as a group home for 3 girls ages 12-17 with children (maximum of 6 clients).  | 6442 N. 91st St.<br>9th Dist.                           |
|                        | Action:                               | Adjourned  |   |
|                        | Motion:                               | Catherine Doyle moved to re-open the appeal. Seconded by Donald Jackson.   |   |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.   |   |



| <b><u>Item No.</u></b> | <b><u>Case No./<br/>Case Type</u></b> | <b><u>Description</u></b>   | <b><u>Premises Address/Ald. Dist.</u></b>  |
|------------------------|---------------------------------------|---|--|
| 32                     | 26219<br>Use Variance                 | Hector Salinas, Property Owner<br><br>Request to occupy a portion of the existing general retail facility (grocery store) as a currency exchange facility.  | 807 W. Historic Mitchell St.<br>A/K/A 813 W. Historic Mitchell St.<br>12th Dist. |
|                        | Action:                               | Denied  |  |
|                        | Motion:                               | Scott Winkler moved to deny the appeal. Seconded by Donald Jackson.   |  |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  |  |
| 33                     | 26431<br>Use Variance                 | The Community Warehouse, Inc.,<br>Property Owner<br><br>Request to occupy the premises as a home improvement center.  | 520 S. 9th St.<br>A/K/A 920 W. Bruce St.<br>12th Dist.                           |
|                        | Action:                               | Granted 5 yrs.  |  |
|                        | Motion:                               | Catherine Doyle moved to grant the appeal. Seconded by Henry Szymanski.   |  |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  |  |
|                        | Conditions of Approval:               | 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.<br><br>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.<br><br>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.<br><br>4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code.<br><br>5. That no parking from this business be allowed along the west side of South 9th Street.<br><br>6. That a parking lot be developed at the rear of the site and a plan showing the parking layout be submitted before permits are issued.<br><br>7. That this Variance is granted for a period of five (5) years, commencing with the date hereof. |  |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u>  | <u>Premises Address/Ald. Dist.</u> |
|-----------------|----------------------------|---|------------------------------------|
| 34              | 26347<br>Special Use       | Mandeep Dhawan, Prospective Buyer<br><br>Request to raze the existing structure and construct a motor vehicle filling station, convenience store, with 2nd floor apartments.  | 1605 W. Oklahoma Av.<br>13th Dist. |
|                 | Action:                    | Granted 10 yrs.   |                                    |
|                 | Motion:                    | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.  |                                    |
|                 | Vote:                      | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  |                                    |
|                 | Conditions of Approval:    | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That individually sold cigars, cigarette wrapping paper, Black and Mild cigars, Blunt cigars, glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia not be sold on the premises.</p> <p>5. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</p> <p>6. That signage plans which meet the sign standards of s.295-605-5 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>7. That site illumination plans which meet the requirements of s.295-409 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>8. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary.</p> <p>9. That a physical separation be provided by extending the proposed retaining wall a distance of 35 feet, between the site and the adjoining alley.</p> <p>10. That the applicant does not have outdoor storage or display of products or merchandise.</p> <p>11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>12. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p> |                                    |

| <u>Item No.</u> | <u>Case No./<br/>Case Type</u>   | <u>Description</u>  | <u>Premises Address/Ald. Dist.</u>  |
|-----------------|----------------------------------|---|---|
| 35              | 26330<br>Dimensional<br>Variance | Yasser Jaber, Property Owner<br><br>Request to erect a type B wall sign on the premises over the required display area.   | 2690 S. Kinnickinnic Av.<br>A/K/A 2686-90 S. Kinnickinnic Av.<br>14th Dist. |
|                 | Action:                          | Granted 5 yrs.  |   |
|                 | Motion:                          | Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.   |   |
|                 | Vote:                            | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  |   |
|                 | Conditions of Approval:          | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Variance is granted for a period of five (5) years, commencing with the date hereof.</p> |   |

| <b><u>Item No.</u></b> | <b><u>Case No./<br/>Case Type</u></b> | <b><u>Description</u></b>  | <b><u>Premises Address/Ald. Dist.</u></b> |
|------------------------|---------------------------------------|--|---|
| 36                     | 25552<br>Special Use                  | John Sims, Property Owner<br><br>Request to continue occupying the premise as a motor vehicle repair facility.   | 2419 W. Fond Du Lac Av.<br>15th Dist.     |
|                        | Action:                               | Granted 1 yrs.   |   |
|                        | Motion:                               | Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.   |   |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.   |   |
|                        | Conditions of Approval:               | <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all vehicles will enter and exit the site via W. Fond Du Lac Ave.</li> <li>5. That the plan of operation submitted by the petitioner on January 31, 2002 is complied with.</li> <li>6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>7. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>8. That all repair work is conducted inside of the building.</li> <li>9. That landscaping and screening plans must be submitted to meet the intent of s.295-405 of the Milwaukee Zoning Code.</li> <li>10. That the house on the premises is retained per the site plan submitted on January 31, 2002.</li> <li>11. That no vehicles associated with this use be parked in the alley.</li> <li>12. That only one work vehicle (truck) associated with this use can use the rear entrance.</li> <li>13. That the rear overhead door not be used for entry of vehicles.</li> <li>14. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol> |   |

| <b><u>Item No.</u></b> | <b><u>Case No./<br/>Case Type</u></b> | <b><u>Description</u></b>   | <b><u>Premises Address/Ald. Dist.</u></b> |
|------------------------|---------------------------------------|---|---|
| 37                     | 26122<br>Special Use                  | Adam Balenovich, Lessee<br><br>Request to continue occupying the premises as a motor vehicle repair and sales facility.   | 2246 N. 44th St.<br>15th Dist.            |
|                        | Action:                               | Granted 1 yrs.  |   |
|                        | Motion:                               | Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.   |   |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  |   |
|                        | Conditions of Approval:               | <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That there be no driving across the curb and sidewalk to access the premises.</li> <li>6. That the dumpster be stored inside of the building.</li> <li>7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel.</li> <li>8. That all repair work is done inside the building.</li> <li>9. That there is no outdoor storage of auto parts, nuisance vehicles, tires, junk or other debris.</li> <li>10. That a site plan which establishes a physical barrier in the side walk area, where parking has previously occurred on site, be submitted to and approved by the Zoning Administration Group within thirty (30) days and implemented within sixty (60) days of the date hereof.</li> <li>11. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol> |   |

| <b><u>Item No.</u></b> | <b><u>Case No./<br/>Case Type</u></b> | <b><u>Description</u></b>   | <b><u>Premises Address/Ald. Dist.</u></b> |
|------------------------|---------------------------------------|---|---|
| 38                     | 26435<br>Special Use                  | Jacqueline Carson, Property Owner<br><br>Request to continue occupying the premises as a group home and increase the number of girls on site from 6 to 8.   | 2601 N. 46th St.<br>15th Dist.            |
|                        | Action:                               | Granted 2 yrs.  |   |
|                        | Motion:                               | Donald Jackson moved to grant the appeal. Seconded by Scott Winkler.  |   |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  |   |
|                        | Conditions of Approval:               | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</p> |   |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u>   |
|-----------------|----------------------------|--|--|
| 39              | 26383<br>Special Use       | Rita Anderson, Property Owner<br><br>Request to occupy the rear cottage as a 24 hr day care center for 8 children infant to 12yrs of age Monday-Friday, Saturday 7:00AM-1:00AM, Closed Sunday.   | 2430 W. Galena St.<br>A/K/A 2430A (rear cottage) W. Galena St.<br>15th Dist. |
|                 | Action:                    | Granted 2 yrs.   |  |
|                 | Motion:                    | Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.  |  |
|                 | Vote:                      | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.   |  |
|                 | Conditions of Approval:    | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the outdoor play area is not utilized after 8:00 P.M. or before 9:00 A.M.</p> <p>5. That there are no neighborhood objections to the proposed late night hours of operation.</p> <p>6. That there is no signage for the day care facility.</p> <p>7. That the petitioner take all measures necessary to control loud noise on the premises associated with late night drop offs and pickups, including, but not limited to, hiring private personnel as necessary.</p> <p>8. That all code violations are corrected prior to occupancy.</p> <p>9. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</p> |  |
| 40              | 25023<br>Special Use       | Rafik F. Mseitif, Lessee<br><br>Request to occupy the premises as a motor vehicle repair facility and sales facility(installation of tires, and electronic sound equipment).   | 1400 W. North Av.<br>15th Dist.  |
|                 | Action:                    | Adjourned  |  |
|                 | Motion:                    | Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.  |  |
|                 | Vote:                      | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.   |  |

| <b><u>Item No.</u></b> | <b><u>Case No./<br/>Case Type</u></b> | <b><u>Description</u></b>   | <b><u>Premises Address/Ald. Dist.</u></b> |
|------------------------|---------------------------------------|---|---|
| 41                     | 25245<br>Special Use                  | Curtis Nealey, Lessee<br><br>Request to continue to occupy the premises as a car wash.                            | 4325 N. Green Bay Av.<br>1st Dist.        |
|                        | Action:                               | Adjourned   |   |
|                        | Motion:                               | Donald Jackson moved to adjourn the appeal. Seconded by Scott Winkler.  |   |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  |   |
| 42                     | 26049<br>Dimensional<br>Variance      | Linda Anthony, Property Owner<br><br>Request to allow signage on the premises for the existing day care facility. | 4585 N. 23rd St.<br>1st Dist.             |
|                        | Action:                               | Dismissed   |   |
|                        | Motion:                               | Catherine Doyle moved to dismiss the appeal. Seconded by Donald Jackson.  |   |
|                        | Vote:                                 | 4 Ayes, 0 Nays, C. Zetley Abstained.  |   |



| <b><u>Item No.</u></b> | <b><u>Case No./<br/>Case Type</u></b> | <b><u>Description</u></b>  | <b><u>Premises Address/Ald. Dist.</u></b> |
|------------------------|---------------------------------------|--|---|
| 43                     | 26369<br>Special Use                  | Gary Waltho, Lessee<br><br>Request to occupy the premises as a motor vehicle sales and repair facility.  | 7569 N. Teutonia Av.<br>1st Dist.         |
|                        | Action:                               | Granted 3 yrs.   |   |
|                        | Motion:                               | Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.  |   |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.   |   |
|                        | Conditions of Approval:               | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening plans which meet the intent of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</p> <p>6. That no disabled or unlicensed vehicles or parts are stored outside.</p> <p>7. That all repair work is conducted inside of the building.</p> <p>8. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris.</p> <p>9. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan.</p> <p>10. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p> |   |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u>  | <u>Premises Address/Ald. Dist.</u>  |
|-----------------|----------------------------|---|---|
| 44              | 26160<br>Special Use       | F-S Truck & Trailer Repair, Property Owner<br><br>Request to add a motor vehicle sales facility (occasional selling buying and selling of equipment from/to customers) to the existing truck repair, parking, and leasing facility.   | 6131 N. 84th St.<br>2nd Dist.   |
|                 | Action:                    | Granted   |   |
|                 | Motion:                    | Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.   |   |
|                 | Vote:                      | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  |   |
|                 | Conditions of Approval:    | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening is maintained in a manner that meets the intent of city code.</p> <p>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</p> <p>6. That there be no increase in signage.</p> <p>7. That this Special Use is granted for a period of time commencing with the date hereof and expiring on December 12, 2011.</p> |   |
| 45              | 26349<br>Special Use       | Surjit Singh Toor, Prospective Buyer<br><br>Request to raze the existing structure and construct a motor vehicle filling station, convenience store, and car wash facility.   | 9111 W. Silver Spring Dr.<br>A/K/A 9101 W. Silver Spring Dr.<br>2nd Dist. |
|                 | Action:                    | Adjourned   |   |
|                 | Motion:                    | This matter was adjourned at the request of the Alderman and will be rescheduled for the next available hearing.  |   |

| <b><u>Item No.</u></b> | <b><u>Case No./<br/>Case Type</u></b> | <b><u>Description</u></b>  | <b><u>Premises Address/Ald. Dist.</u></b>               |
|------------------------|---------------------------------------|--|---|
| 46                     | 26419<br>Special Use                  | Ramona Walker, Property Owner<br><br>Request to occupy the premises as a community based residential facility for six adults (elderly).  | 4621 N. 66th St.<br>2nd Dist.                           |
|                        | Action:                               | Adjourned  |   |
|                        | Motion:                               | This matter was adjourned at the request of the Ald. and will be rescheduled for the next available hearing.   |   |
| 47                     | 26428<br>Special Use                  | Vincent Millevolte, Prospective Buyer<br><br>Request to occupy the premises as a specialty/personal instruction school (music school & recording studio).  | 4040 N. 66th St.<br>A/K/A 4059 N. 64th St.<br>2nd Dist. |
|                        | Action:                               | Granted 5 yrs.   |   |
|                        | Motion:                               | Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.  |   |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.   |   |
|                        | Conditions of Approval:               | <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must conform to the sign standards of s. 295-505-5 of the Milwaukee Zoning Code.</li> <li>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary.</li> <li>6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol> |   |

| <b><u>Item No.</u></b> | <b><u>Case No./<br/>Case Type</u></b> | <b><u>Description</u></b>  | <b><u>Premises Address/Ald. Dist.</u></b>                       |
|------------------------|---------------------------------------|--|---|
| 48                     | 26269<br>Special Use                  | Theresa Boswell, Lessee<br><br>Request to occupy a portion of the premises as a health clinic (mental health for children/adolescents and families).   | 2266 N. Prospect Av.<br>A/K/A 2252 N. Prospect Av.<br>3rd Dist. |
|                        | Action:                               | Granted 3 yrs.   |   |
|                        | Motion:                               | Henry Szymanski move to grant the appeal. Seconded by Donald Jackson.  |   |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.   |   |
|                        | Conditions of Approval:               | <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol> |   |
| 49                     | 26432<br>Special Use                  | Giuseppe Vella, Property Owner<br><br>Request to occupy the premises as a rooming house.   | 1686 N. Astor St.<br>3rd Dist.                                  |
|                        | Action:                               | Granted 10 yrs.  |   |
|                        | Motion:                               | Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.  |   |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.   |   |
|                        | Conditions of Approval:               | <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>  |   |

| <b><u>Item No.</u></b> | <b><u>Case No./<br/>Case Type</u></b> | <b><u>Description</u></b>   | <b><u>Premises Address/Ald. Dist.</u></b>                        |
|------------------------|---------------------------------------|---|--|
| 50                     | 26259<br>Special Use                  | Joyce Clark, Lessee<br><br>Request to continue occupying a portion of the premises for a day care center for 100 children infant to 12 years of age, Monday-Friday 6:00 AM-6:00 PM. | 1640 N. Franklin Pl.<br>A/K/A 1632 N. Franklin Pl.<br>3rd Dist.  |
|                        | Action:                               | Adjourned   |  |
|                        | Motion:                               | Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.   |  |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  |  |
| 51                     | 26332<br>Special Use                  | Michelle L. Griffin, Lessee<br><br>Request to occupy the premises as a community living arrangement for 8 residents (elderly & disabled).   | 743 N. 25th St.<br>4th Dist.                                     |
|                        | Action:                               | Adjourned   |  |
|                        | Motion:                               | This matter was adjourned at the request of the Ald. and will be scheduled for the next available contested agenda.   |  |
| 52                     | 26429<br>Special Use                  | Larry Butler, Property Owner<br><br>Request to continue occupying the premises as a community living arrangement for 5-8 women.   | 2526 W. Highland Av.<br>A/K/A 2528 W. Highland Ave.<br>4th Dist. |
|                        | Action:                               | Adjourned   |  |
|                        | Motion:                               | Catherine Doyle moved to adjourn the appeal. Seconded by Henry Szymanski.   |  |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  |  |
| 53                     | 25680<br>Rehearing<br>Request         | Wisconsin Center District, Property Owner<br><br>Request for a clarification on the conditions of approval for case No. 25220 (Board approved surface parking lot).                 | 400 W. Wisconsin Av.<br>4th Dist.                                |
|                        | Action:                               | Dismissed   |  |
|                        | Motion:                               | Henry Szymanski moved to dismiss the appeal. Seconded by Scott Winkler.   |  |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  |  |

| <u>Item No.</u> | <u>Case No./<br/>Case Type</u> | <u>Description</u>  | <u>Premises Address/Ald. Dist.</u>                              |
|-----------------|--------------------------------|---|---|
| 54              | 25674<br>Appeal of an<br>Order | Wisconsin Center District, Property<br>Owner<br><br>Request to appeal an order of the<br>Department of Neighborhood Service<br>determining that the special use is not<br>operating in conformance with its plan of<br>operation, site plans, and condition of<br>approval. | 400 W. Wisconsin Av.<br>4th Dist.                               |
|                 | Action:                        | Denied  |   |
|                 | Motion:                        | Catherine Doyle moved to uphold the order. Seconded by Scott Winkler.   |   |
|                 | Vote:                          | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  |   |
| 55              | 26140<br>Use Variance          | Gurinder S. Nagra, Lessee<br><br>Request to occupy a portion of the<br>existing general retail establishment as a<br>currency exchange agency (check<br>cashing).   | 2903 W. Clybourn St.<br>A/K/A 2901 W. Clybourn St.<br>4th Dist. |
|                 | Action:                        | Adjourned   |   |
|                 | Motion:                        | Henry Szymanski moved to adjourn the appeal. Seconded by Scott Winkler.   |   |
|                 | Vote:                          | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  |   |

| <b><u>Item No.</u></b> | <b><u>Case No./<br/>Case Type</u></b> | <b><u>Description</u></b>  | <b><u>Premises Address/Ald. Dist.</u></b>             |
|------------------------|---------------------------------------|--|---|
| 56                     | 26319<br>Special Use                  | Wispark, LLC, Property Owner<br><br>Request to occupy the premises as a parking lot.   | 522 N. 2nd St.<br>4th Dist.                           |
|                        | Action:                               | Granted 2 yrs.   |   |
|                        | Motion:                               | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.   |   |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 Abstained.   |   |
|                        | Conditions of Approval:               | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening is implemented in accordance to the landscape plan submitted to the Board of Zoning Appeals on February 24, 2005.</p> <p>5. That revised plans are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. The revised plans should include usage of permeable paving or other low storm water impact design techniques.</p> <p>6. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</p> |   |
| 57                     | 26130<br>Use Variance                 | Jaswinder Singh, Lessee<br><br>Request to occupy a portion of the existing general retail establishment (grocery store) as a currency exchange facility.   | 801 N. 27th St.<br>A/K/A 831 N. 27th St.<br>4th Dist. |
|                        | Action:                               | Dismissed  |   |
|                        | Motion:                               | Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.   |   |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.   |   |

| <u>Item No.</u> | <u>Case No./<br/>Case Type</u> | <u>Description</u>  | <u>Premises Address/Ald. Dist.</u> |
|-----------------|--------------------------------|---|------------------------------------|
| 58              | 26441<br>Special Use           | The Church of the First Born<br>International, Property Owner<br><br>Request to occupy a portion of the<br>premises as a day care center for 39<br>children per shift infant to 12yrs of age,<br>Monday-Friday 6:00AM-11:00PM,<br>Saturday 8:00AM-4:00PM, closed<br>Sunday and an adult day care for 30<br>adults Monday-Friday 6:00AM-5:00PM,<br>Saturday 8:00AM-4:00PM, closed<br>Sunday. | 4701 N. 76th St.<br>5th Dist.      |
|                 | Action:                        | Adjourned   |                                    |
|                 | Motion:                        | Catherine Doyle moved to adjourn the appeal. Seconded by Henry Szymanski.   |                                    |
|                 | Vote:                          | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  |                                    |



| <b><u>Item No.</u></b> | <b><u>Case No./<br/>Case Type</u></b> | <b><u>Description</u></b>  | <b><u>Premises Address/Ald. Dist.</u></b> |
|------------------------|---------------------------------------|--|---|
| 59                     | 25669<br>Special Use                  | Discount Auto, Thomas D. Manske; Lessee<br><br>Request to continue occupying the premises as a motor vehicle sales and repair facility.  | 7808 W. Congress Av.<br>5th Dist.         |
|                        | Action:                               | Granted 1 yrs.   |   |
|                        | Motion:                               | Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.   |   |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.   |   |
|                        | Conditions of Approval:               | <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That no vehicles for sale are to be displayed on any street or alley in the area.</li> <li>5. That no display, repair, employee or customer vehicles are to be parked in, project into, or otherwise obstruct the alley to the rear of the site.</li> <li>6. That no maintenance or repair of any vehicles associated with this use is to occur within any street or alley right-of-way.</li> <li>7. That no vehicles associated with this use are to be parked in, or otherwise obstruct any driveway on W. Congress Street or W. Appleton Avenue at this location.</li> <li>8. That no employee, repair, display or customer vehicles are to be parked or obstruct any public right of way area between the curb and the property line.</li> <li>9. That all unused driveways are to be eliminated, with curb, gutter, and sidewalk restored, as required by City Ordinance. Compliance must occur by September 30, 1999 if the site is not contaminated. If the site is contaminated, compliance with this condition must occur within eighteen (18) months of the date hereof.</li> <li>10. That all display and repair vehicles associated with this use are to be parked in parking stalls on site as designated on the site plan.</li> <li>11. That the applicant applies for and receives a variance from the board of Standards and Appeals to keep two storage containers on-site.</li> <li>12. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>13. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>14. That freestanding signage is limited to the two existing pylon sign panels, and that all other signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>15. That pennants, banners, light pole signage, and the other freestanding signage the West. Appleton Ave and West Congress Street frontages be removed.</li> <li>16. That the storage container is moved several feet to the north so that it is setback from the front façade of the building.</li> <li>17. that materials stored in the storage container not exceed the height of the container</li> <li>18. That all repair work is conducted inside of the building.</li> <li>19. That all previous conditions of the Board regarding this property are complied with.</li> <li>20. That the petitioner take all measures necessary to control litter on the premises.</li> <li>21. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol> |   |

| <b><u>Item No.</u></b> | <b><u>Case No./<br/>Case Type</u></b> | <b><u>Description</u></b>   | <b><u>Premises Address/Ald. Dist.</u></b>                   |
|------------------------|---------------------------------------|---|---|
| 60                     | 26478<br>Special Use                  | Colleen Fitzgerald, Lessee<br><br>Request to occupy the premises as a social service facility (central office for youth service agency).  | 2100 N. Palmer St.<br>A/K/A 2104 N. Palmer St.<br>6th Dist. |
|                        | Action:                               | Granted 3 yrs.  |   |
|                        | Motion:                               | Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.   |   |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  |   |
|                        | Conditions of Approval:               | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must conform to the sign standards of s. 295-505-5 of the Milwaukee Zoning Code.</p> <p>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</p> <p>6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p> |   |
| 61                     | 26287<br>Special Use                  | Deborah Sykes, Prospective Buyer<br><br>Request to occupy the premises as a group home for 8 girls ages 12-17.  | 2516 N. Palmer St.<br>6th Dist.                             |
|                        | Action:                               | Adjourned   |   |
|                        | Motion:                               | Catherine Doyle moved to adjourn the appeal. Seconded by Donald Jackson.  |   |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  |   |

| <b><u>Item No.</u></b> | <b><u>Case No./<br/>Case Type</u></b> | <b><u>Description</u></b>  | <b><u>Premises Address/Ald. Dist.</u></b> |
|------------------------|---------------------------------------|--|---|
| 62                     | 26492<br>Use Variance                 | Jewel Currie, Property Owner<br><br>Request to occupy the premises as a tavern (bar and grill).  | 502-08 W. Garfield Av.<br>6th Dist.       |
|                        | Action:                               | Granted 10 yrs.  |   |
|                        | Motion:                               | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.   |   |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.   |   |
|                        | Conditions of Approval:               | <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscape plans meeting the intent of city code section 295-405 for Type 'B' landscaping are submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</li> <li>5. That signage plans which meet the sign standards of s.295-505-5 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</li> <li>6. That the outdoor patio is not utilized after 9:00 P.M.</li> <li>7. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>8. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>9. That the petitioner combine the 502 W. Garfield Ave. parcel with the 512 W. Garfield Ave. parcel by submitting an approved certified survey map, or by filing a deed restriction with the Milwaukee County Registry of Deeds.</li> <li>10. That this Use Variance be granted for a period of ten (10) years and that the Dimensional Variance be granted to run with the land, commencing with the date hereof.</li> </ol> |   |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u>  | <u>Premises Address/Ald. Dist.</u>                         |
|-----------------|----------------------------|---|--|
| 63              | 25926<br>Special Use       | <p>Lisa Torrence, Property Owner</p> <p>Request to continue occupying the premises as a day care center for 8 children infant to 12yrs of age, Monday-Friday 6:00 a.m.-12:00 a.m and maintain the existing signage on site.</p> | 4620 W. Townsend Av.<br>7th Dist.                          |
|                 | Action:                    | Adjourned   |  |
|                 | Motion:                    | This matter was adjourned by staff and will be rescheduled for the next available hearing.  |  |
| 64              | 26191<br>Special Use       | <p>Atonement Lutheran Church, Property Owner</p> <p>Request to continue occupying the premises as a day care center for 35 children infant to 11yrs of age, Monday - Friday 7:00 a.m. - 5:30 p.m.</p>                           | 4536 N. Sherman Bl.<br>A/K/A 4206 W. Ruby Av.<br>7th Dist. |
|                 | Action:                    | Adjourned   |  |
|                 | Motion:                    | Donald Jackson moved to adjourn the appeal. Seconded by Henry Szymanski.  |  |
|                 | Vote:                      | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.  |  |
| 65              | 25951<br>Special Use       | <p>John Kerr Jr., Lessee</p> <p>Request to continue occupying the premises as a motor vehicle repair facility.</p>  | 6927 W. Capitol Dr.<br>10th Dist.                          |
|                 | Action:                    | Adjourned   |  |
|                 | Motion:                    | Donald Jackson moved to adjourn the appeal. Seconded by Henry Szymanski.  |  |

| <b><u>Item No.</u></b> | <b><u>Case No./ Case Type</u></b> | <b><u>Description</u></b>   | <b><u>Premises Address/Ald. Dist.</u></b> |
|------------------------|-----------------------------------|---|---|
| 66                     | 26385<br>Special Use              | ABC Day Care Inc., Janice Schmitt; Lessee<br><br>Request to occupy the premises as a day care center for 120 children infant to 12yrs of age, Monday-Friday 6:30AM-11:30PM.<br><br>Action: Granted 1 yrs.<br><br>Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.<br><br>Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.<br><br>Conditions of Approval:<br>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.<br>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.<br>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.<br>4. That the plan of operation is amended to reflect the number of parking spaces and total square footage of the play areas as identified on the site plan.<br>5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.<br>6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.<br>7. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards.<br>8. That the petitioner obtains an occupancy certificate and complies with current State commercial code for educational and institutional occupancies.<br>9. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. | 5920 W. Center St.<br>10th Dist.          |
| 67                     | 26402<br>Special Use              | Alonzo Mann, Lessee<br><br>Request to occupy the premises as a secondhand store.<br><br>Action: Adjourned<br><br>Motion: This matter was adjourned at the request of the Alderman on the district and will be rescheduled for the next available hearing.   | 5616 W. Lisbon Av.<br>10th Dist.          |

| <b><u>Item No.</u></b> | <b><u>Case No./<br/>Case Type</u></b> | <b><u>Description</u></b>  | <b><u>Premises Address/Ald. Dist.</u></b> |
|------------------------|---------------------------------------|--|---|
| 68                     | 26384<br>Dimensional<br>Variance      | David F. Hahn, Property Owner<br><br>Request to allow a fence in the rear yard that is over the maximum height.  | 8205 W. New Jersey Av.<br>11th Dist.      |
|                        | Action:                               | Granted  |   |
|                        | Motion:                               | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.   |   |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.   |   |
|                        | Conditions of Approval:               | 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.<br><br>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.<br><br>3. That the petitioner build in accordance with plans submitted.<br><br>4. That this Variance is granted to run with the land. |   |
| 69                     | 26072<br>Special Use                  | Aasir Abrar Ammar, LLC, Prospective Buyer<br><br>Request to combine the parcels and construct a motor vehicle filling station, convenience store, fast-food/carryout restaurant, retail stores and car wash on the premises.   | 720-30 N. 35 St.<br>4th Dist.             |
|                        | Action:                               | Adjourned  |   |
|                        | Motion:                               | Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.  |   |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Zetley Abstained.   |   |
| 70                     | 26107<br>Dimensional<br>Variance      | PDQ Food Store, Prospective Buyer<br><br>Request to raze the existing structure and construct a motor vehicle filling station, convenience store, and car wash facility on the premises.   | 11811 W. Silver Spring Rd.<br>5th Dist.   |
|                        | Action:                               | Adjourned  |   |
|                        | Motion:                               | This matter was adjourned at the request of the applicant and will be rescheduled for the next available agenda.   |   |

| <u>Item</u><br><u>No.</u> | <u>Case No./</u><br><u>Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
|---------------------------|--------------------------------------|--------------------|------------------------------------|
|---------------------------|--------------------------------------|--------------------|------------------------------------|

**Other Business:**

Board member Jackson moved to approve the minutes of the February 10, 2005 meeting. Seconded by Board member Winkler. Unanimously approved.

The Board set the next meeting for March 31, 2005.

Board member Szymanski moved to adjourn the meeting at 8:10 p.m.. Seconded by Board member Doyle. Unanimously approved.

BOARD OF ZONING APPEALS

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Secretary of the Board